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SUBJECT: IRELAND ACCEPTS CUBAN REFUGEES; PASSES MUTUAL LEGAL
ASSISTANCE LEGISLATION

REFS: (A) DUBLIN 110
(B) STATE 21451
(C) 07 DUBLIN 548
(D) 06 STATE 172627

Summary

11. (SBU) Sean Aylward, Secretary General of the Irish Department of Justice, Equality, and Law Reform told the Embassy April 22 that the way had been cleared to immediately resettle 11 Cuban refugees who have been sheltering at Guantanamo. He added that the Criminal Justice (Mutual Assistance) Bill, which will give effect to a Mutual Legal Assistance Treaty with the U.S., had been passed by both houses of the Parliament. End summary.

Cuban Refugees

12. (SBU) Responding to a call for assistance in late-2006 (Ref D), the Post has been negotiating with the Department of Justice to accept Cuban refugees being protected at the U.S. Naval Station at Guantanamo. In July 2007, the Irish agreed to begin the process to resettle ten refugees (Ref C). During the April 22 meeting, Aylward announced that the final hurdles had been resolved with immigration and police officials, and that the refugees (now 11 with the birth of a baby), would travel to Ireland for permanent resettlement the week of April 28. (Comment: The Irish do not intend to publicize this resettlement initiative, viewing it as part of Ireland's routine refugee resettlement program, which accepts about 200 individuals annually. Among other concerns, the Irish Government is afraid the public may confuse the refugees at Guantanamo with detainees. End comment.)

Extradition and Mutual Legal Assistance Treaty

13. (U) The Post has been urging the Irish Government for the better part of a year and a half to speed up enactment of legislation that would enable Ireland to sign a mutual legal assistance treaty with the U.S. (Refs A and B). (Note: Legal provisions to enable Ireland to sign a new extradition treaty with the U.S. were enacted in the European Arrest Warrant Act, 2003. End note.) At the April 22 meeting, Aylward notified EMBOFFs that the Criminal Justice (Mutual Assistance) Bill, which will give effect to a Mutual Legal Assistance Treaty, had been passed by both houses of the Oireachtas (Parliament) and had been sent to the President for her signature; a mere formality in the case of this legislation, Aylward noted. The President is expected to sign the legislation during the week of April 28. The Act will come into effect 30 days thereafter. (Comment: Enactment of this piece of legislation will legally empower Ireland to exchange instruments of ratification for

both extradition and mutual legal assistance with the U.S. End
comment.)

Foley